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April 27, 2006

JOHN E. LOGAN PLLC
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Ms. Marlene H. Dortch
Secretary to the
Federal Communications Commission
Washington, D.C. 20554

Re: *Ex Parte* Presentation
Universal Service Assessment- Automotive Telematics
CC Docket Nos. 96-45, 98-171, 90-571, 92-237,
99-200, 95-116 and 98-170

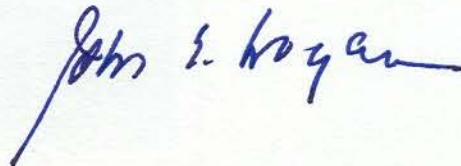
Dear Ms. Dortch:

Today, Gary Wallace, Vice President for Corporate Relations, ATX Group, Inc. (ATX), Ari Q. Fitzgerald, representing Mercedes Benz USA LLC (MBUSA), Christopher A. McLean and I, representing ATX, met with Mr. Scott Bergman, Legal Advisor to the Honorable Jonathan S. Adelstein.

In the meeting, we presented the position of ATX and MBUSA that the proposal to assess each phone number a monthly fee of \$1.00 would violate the equitable and non discriminatory standard of the law with regard to automotive telematics. The proposed fee would represent a 3000% increase over the current assessment, an amount that approaches and may exceed the total telecommunications cost of the service. We emphasized the confined and limited use of the network by automotive telematics which any assessment model must recognize. We also stated that the proposed assessment would disrupt an important public safety feature—the ability to locate expeditiously and dispatch aid to individuals facing an emergency, ubiquitously and without limitation. The proposal would halt the rollout of telematics based safety and security to mass market vehicles. A regulatory decision imposing a \$1.00 monthly assessment on each telematics vehicle will dictate a market decision that should be left to the consumer.

A copy of the *ex parte* communications by MBUSA, dated April 12, 2006, and ATX, dated April 19, 2006, which are filed in this docket and set forth our position in more detail, was provided to Mr. Bergman.

Respectfully,



Copy to:
Mr. Bergman